

REMARKS

Claims 9-12, 15-18, 20, 21, 23, 24, 26-28, 30 and 31 are pending in this application. Claims 9-12, 15, 16, 26-28, 30 and 31 were deemed allowable and claims 17, 18, 20, 21, 23 and 24 were rejected in the Office Action dated 20 May 2003 (the "Office Action"). Applicants have amended claim 17 in order to more particularly and completely claim the present invention. No new matter has been introduced. Allowance of claims 17, 18, 20, 21, 23 and 24 is respectfully requested.

In the Office Action, the Examiner rejected claims 17, 18, 20, 21, 23 and 24 under 35 USC 102(b) as being anticipated by DE 4404219 (hereinafter "DE '219").

DE '219 discloses a clay suspension. In the introduction of DE '219, there is mentioned in passing that clay suspensions can be used as drilling fluids. However in the following description of the invention, DE'219 focuses solely on suspensions with a high powder content of up to 75 weight % solid content or 60 – 70 weight % (see page 3, lines 29,30). The example (Table 1) refers to a 65% suspension. Suspensions with such high weight content are characteristic for the production of porcelain and other ceramic goods. They are not suitable as drilling fluids. Hence the usefulness of the compositions disclosed in DE'219 as an anti-accretion additive for drilling fluids is not obvious.

Furthermore, the amended claim 17 now specifically refers to further additives of the drilling fluid, i.e., water as base component, a viscosifying agent to increase the viscosity of the fluid, a weighting agent to adjust the density of the fluid and a shale swelling inhibition agent. All of these components are not found in DE'219.

In light of the above amendments and remarks, applicant believes that the present application and all pending claims are in proper condition for allowance.

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Should any fees be due, the Commissioner is hereby authorized to deduct said fees
from Deposit Account No. 19-0615 (57.0291US/PCT).

Respectfully submitted,



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